

AMENDED

No 46214

## APPLICATION FOR PERMIT

## TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office OCT 12 1982  
 Returned to applicant for correction NOV 19 1982  
 Corrected application filed JAN 17 1983  
 Map filed JAN 17 1983 under 46213

The applicant W. Dalton La Rue, Sr. and Juanita S. La Rue dba Winnecumma Ranch  
P.O. Box 3159, of Reno,  
Street and No. or P.O. Box No. City or Town  
Nevada 89505, hereby make application for permission to appropriate the public  
State and Zip Code No.  
 waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Dry Valley Creek aka Matley Creek and the south fork of Dry Valley Creek shown on some maps as Red Rock Creek  
Name of stream, lake, spring, underground or other source
2. The amount of water applied for is 2/10 second-feet  
One second-foot equals 448.83 gals. per min.  
 (a) If stored in reservoir give number of acre-feet
3. The water to be used for stock water  
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated:
  - (b) Stockwater, state number and kinds of animals to be watered: 400 cattle
  - (c) Other use (describe fully under "No. 12. Remarks")
  - (d) Power:
    - (1) Horsepower developed
    - (2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: the natural channel of said Dry Creek where it exits the SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 15, T24N, R18E, M.D.M. from which the southeast corner of said Section 15 bears S 24°49' E, 4285 feet together and the headwater of said Dry Valley Creek and its tributaries.  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

6. Place of use T24N, R19E, M.D.M., SW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 1; S $\frac{1}{2}$  S $\frac{1}{2}$  Sec. 2; S $\frac{1}{2}$  S $\frac{1}{2}$  Sec. 3; S $\frac{1}{2}$  S $\frac{1}{2}$  Sec. 4; S $\frac{1}{2}$  S $\frac{1}{2}$  Sec. 5; SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 6; W $\frac{1}{2}$ NE $\frac{1}{4}$ ; N $\frac{1}{2}$  SW $\frac{1}{4}$  & S $\frac{1}{2}$  NW $\frac{1}{4}$  Sec. 7 T24N, R18E, M.D.M., S $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 12; NW $\frac{1}{4}$  NE $\frac{1}{4}$  also NW $\frac{1}{4}$  Sec. 13; S $\frac{1}{2}$  N $\frac{1}{2}$ , SW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 14; SE $\frac{1}{4}$ ; S $\frac{1}{2}$  NE $\frac{1}{4}$  Sec. 15  
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year.  
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Natural channel and diversion in SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 6, T24N, R19E, M.D.M.  
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$3,000

10. Estimated time required to construct works..... 10 years  
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use currently being used

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

By this application, the applicants do not waive their claim for vested rights. It is the ~~climants~~ understanding that their claim for vested rights go back to the beginning of time because the first white settlers believed to have come in the 1850's acquired the aboriginal rights of the Indians. That it was the policy of the U.S. Government to respect these aboriginal rights to all lands within the Mexican Cession. See U.S. vs. Santa FE Railroad Co. 314 U.S. 340; 86 L ed 260.

Compared bc/bl pm/se

By s/W. Dalton La Rue Sr  
W. Dalton La Rue, Sr.  
P.O. Box 3159 Reno, Nevada 89505

Protested.....

APPROVAL \_\_\_\_\_ OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.013 cubic feet per second or sufficient to water 400 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before April 19, 1990

Proof of completion of work shall be filed before May 19, 1990

Application of water to beneficial use shall be made on or before April 19, 1992

Proof of the application of water to beneficial use shall be filed on or before May 19, 1992

Map in support of proof of beneficial use shall be filed on or before \_\_\_\_\_

Completion of work filed JUN 29 1990 IN TESTIMONY WHEREOF, I PETER G. MORROS,

Proof of beneficial use filed JUN 15 1992 State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed \_\_\_\_\_ my office, this 19th day of April,

Certificate No. 13515 Issued NOV 23 1992 Peter G. Morros